

(Declaratory Judgment Act) and 5 U.S.C. §701 *et seq.* (Administrative Act of the Administrative Procedure Act (“APA”)).

2. Venue is proper under 28 U.S.C. §1391(b), since Defendant JOHNSON is the Secretary of U.S. Department of Homeland Security, COMEY is the Director of the Federal Bureau of Investigations, and KERRY is the U.S. Secretary of State.

3. This action is brought to compel the Defendant, officers and agencies of the United States, to perform its duties arising under the laws of the United States.

4. The APA requires the FBI to carry out their duties within a reasonable time. The provision of the APA that provides this is 5 USC §555(b), which states that “with due regard for the convenience and necessity of the parties or their representatives and within a reasonable time, each agency shall proceed to conclude a matter presented to it.” The FBI is subject to 5 USC §555(b). Plaintiff contends that the delays in processing his application for renewal of U.S. passport are unreasonable.

PARTIES

5. Plaintiff AL SANANI, is a United States citizen. Plaintiff applied to renew his United States passport on October 17, 2013.

6. Defendant, JOHNSON is the Secretary of the U.S. Department of Homeland Security, COMEY is Director of the Federal Bureau of Investigations, and KERRY is the U.S. Secretary of State, agencies of the United States Government under the Department of Homeland Security.

7. JAMES B. COMEY is sued in his official capacity. The FBI is responsible for the proper background clearance conducted on each applicant.

CLAIMS FOR RELIEF

8. On or about October 17, 2013 Plaintiff applied to renew his U.S. passport.
9. Since the time of Plaintiff's submission of his application, Plaintiff has not received the renewed passport.
10. Since the time of Plaintiff's submission of the applications, and despite numerous inquiries and requests, Plaintiff has not received an answer from Defendants regarding a decision on the application.
11. The Plaintiff's application for renewal of his United States passport remains adjudicated.
12. As a result of this application not being adjudicated, the Plaintiff is unable leave the United States to visit his minor children and wife overseas.
13. Since the time of the Plaintiff's submission of the application, the Plaintiff has made numerous oral and written requests of the Defendant concerning a final adjudication of said application.
14. Despite these inquiries to Defendant, it is the Plaintiff's belief that the application remains adjudicated.
15. The Defendant, in violation of the Administrative Procedure Act, is unlawfully withholding or unreasonably delaying a decision on the application of the Plaintiff.
16. The Plaintiff has exhausted any remedies that may exist.

WHEREFORE, Plaintiff prays that the Court, in light of the foregoing:

- A. Compel Defendant and those acting under it to perform their duty to rule upon the Plaintiff's application for renewal of U.S. passport;
- B. Compel the Federal Bureau of Investigation to complete its background and fingerprint process;
- C. Grant attorney's fees and cost of court;

D. Grant such other and further relief as this Court sees proper under the circumstances.

Respectfully Submitted,

/s/ Reem H. Odeh
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